

work, a major national priority, one as a consequence of the legislation passed by the Congress. Now the States are under very tight constraints in terms of addressing that population. It is estimated that only a very small percentage of welfare recipients, 6 percent, own cars. So most people on welfare would be dependent on transit in order to get them to and from their jobs.

So a strong and vibrant transit system, I think, is critical to the Nation's economy, to the well-being of our communities. I hope we can keep these additional considerations in mind as we address the transit title which is now pending before the Senate. There are these additional benefits that flow from it, and they really flow to the country as a whole.

If we can reduce our dependence on foreign oil and the import of oil, we become less in the hands, as it were, of others overseas, and we improve our balance of payments position. Transit makes an important contribution in that regard. It clearly makes a very strong contribution in the effort to improve our environment and to achieve clean air quality. It helps to reduce congestion.

Of course, people look around and say there is a tremendous amount of congestion now. I only say to them, think how much worse it would be if we did not have the transit systems. I mean, for those in the areas that are served by a transit system and are traveling by automobile or truck and encounter a lot of congestion, think what they would encounter if there was not a transit system moving millions and millions of people every day. You would have absolute gridlock in those areas of the country.

Now, as we deal, of course, with the welfare-to-work challenge, transit is a major component in helping us to succeed in addressing that challenge. It is also clear that transit is an important contributor to economic development and property values. Those areas that have the availability of convenient transit services have discovered that it makes an important contribution in spurring economic development and job creation. So, Mr. President, I hope our colleagues will keep this in mind.

An argument was strongly made in this body many years ago that we needed farm-to-market roads. We needed roads to make it possible for farmers to move their goods to market. As a nation, we responded to that and sought to support a farm-to-market network of highway transportation. I am supportive of that concept.

I think if we are going to build the Nation, we have to be sensitive to the needs of all parts of our country. I very much hope my colleagues will be sensitive to the needs of transit. Actually, everywhere in the country, we have provisions in this bill for rural transit, and transit in cities of over 50,000 and up to 200,000, special provisions. But, of course, we have the situation in which

we have the greater urban centers where literally millions of people move every day on mass transit. If it were not there, if we did not have a first-rate system, we would have a total, total breakdown in the functioning of the economy.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SARBANES. Mr. President, I think we are now scheduled to go out, as I understand it, for the party conferences.

#### RECESS

The PRESIDING OFFICER. The Senate is recessed, under the previous order, until 2:15 p.m.

Thereupon, the Senate, at 12:25 p.m., recessed until 2:14 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask permission to address the Senate as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LOSING OUR WAY II

Mr. GRASSLEY. Mr. President, in earlier remarks, I indicated a number of problems in our domestic drug control efforts. I intend now to highlight some of the problems in our international control efforts. Many past problems in this area have been documented in testimony before the House and Senate and in reports issued by the Congress. Let me give just a few highlights of recent issues that speak of deep problems.

I am concerned that the Administration seems only too willing to give drug producing pariah states a pass. Recently Senator HELMS and I wrote the Secretary of State on North Korea. We wanted to know why, with indications that the Government of North Korea is implicated in drug production, that there was not more effort to confront this pariah state. The response was that we don't know enough. Well, why don't we know enough? Basically because we are not asking the questions. We are not putting our collection assets on the problem.

This is one way of avoiding confronting North Korea on drug trafficking. This is a country apparently whose only two cash crops are nuclear weapons and illegal drugs. Yet, we ignore their drug activities and provide them help with nuclear materials. This

is not the only dictatorship and enemy of the United States that this Administration is declining to confront for drug production and trafficking.

During the recent recess, the Administration pulled another rabbit out of its hat. In the process, it once again showed its disregard for both requirements in law and for consulting with Congress. Mr. President, most members are probably not aware that the Administration has dropped Syria from the countries that we certify on drugs. The rationale the Administration offers for this move, done without consulting with Congress or Israel, is that what drug production there is in Syria does not affect the United States. That is not, of course, what last year's International Narcotics Control Strategy report, the Administration's own report, said. It is not what presidential certification notices have said. It is not what the Israelis report. It does not accord with the realities of international drug trafficking and the nature of the activities of organized criminal gangs. But there's more to the story. The Administration says it made this decision strictly on interpreting the law. In its reading of the law, the Administration argues that Congress did not mean to include countries like Syria where production is not coming to the United States. That is a singular interpretation, however.

I have here a copy of an interpretation by the Senate Legislative Council's office pointing out where the Administration's reading of the law is in error. I also note that the Administration undertook this significant change in policy based on the legal opinion of a single State Department lawyer. They did this without consulting with anyone in Congress. And, in my view, they did it by not complying with the law.

What all this means is empty gestures that send useless signals to pariah states. The fact that it does this by using U.S. drug policy as the throw away issue tells us a lot about how seriously this Administration takes our international counter-drug efforts.

The law requires the Administration to submit to Congress each November 1 the list of countries to be considered for certification. My staff reminded the State Department of this requirement in late October. It became clear, however, that Administration officials had no intention of meeting that requirement. Only under pressure did they finally get the paperwork up here, 10 days late. This tardiness was in spite of the fact that they promised not to be late, after having been weeks late in 1996. And they were weeks late then even after Congress gave them an extra month to get the list up here. This list, as I say, was late. I note also, that in being late, the Administration submitted it just days before the Congress recessed. That is, it submitted a document that contained a controversial decision without consultation or the opportunity for serious discussion.

Not only did the Administration not seek to consult on this important issue before the decision, it delayed action to avoid accountability after the decision. What next? Having ignored North Korea and having given Syria a wink, can we expect the Administration to certify Iran? Don't laugh. That was under consideration. The Administration cannot confirm significant changes in Iran's drug control efforts, but it was prepared to take Iran's word on the matter. It was only when J.C. WATTS and I and several other Members of Congress blew the whistle on this that the idea was dropped. What was going on here? Why all the sneaking around? Iran suggests more cultural exchanges and the Administration plans to certify them as doing the right stuff on drugs. Once again, we are going to use our drug control policy to make gestures to our sworn enemies. What is wrong with this picture? Do these steps, this lack of consultation, suggest a deficit of seriousness on drugs?

There's more. The Administration has also been mounting an effort to deconstruct the annual certification process. With all the misinformation being floated around about that process, it may be hard for the public and members of Congress to get at the facts. Let me just make a couple of points. Certification is about accountability. It is about expecting the Administration and governments in the major drug producing and transiting countries to take drug control seriously. It is about establishing standards to measure that seriousness. It is about expecting the Administration to then report on compliance with those standards to the Congress and the public. Let me note also, that recent and past polls indicate that the public supports tough standards. The Administration, however, is trying to undo this. For an Administration that has a record of avoiding accountability standards, this should come as no surprise. This is yet another area where the Administration is mounting an effort to weaken or disregard performance measures.

But let me continue. On the issues I deal with on the International Drug Caucus, I see an Administration that doesn't follow through. Let me give just one case in point. This concerns nominations. The important post of the Assistant Secretary of State for International Narcotics Control remains vacant. We have yet to see a nomination. It has been vacant for many months. The post of Commissioner of Customs remains vacant. On this latter point, however, I am happy to see some movement, at last. Still, that critical post has been vacant for over six months.

I also note that the Office of National Drug Control Policy has recently asked Congress to give them new presidential appointment positions. But the important post of Demand Reduction Deputy has not seen a qualified nominee in

several years. It is vacant. The critical post of Supply Reduction Deputy has been empty since the Administration took office in 1993. These are the two most important posts in that office. Vacant. Unqualified candidates. Inaction. This is the legacy.

The Administration also continues to send mixed signals to our partners in Latin America on drug control. Leaving aside the retreat on certification, the Administration cannot seem to get clear on its priorities. There are a number of examples, but I'll stick to one. In 1994, the Administration almost destroyed one of our most important information-sharing programs with Peru. This program enabled the closing of the drug smuggling air bridge. Congress stepped in to prevent the cutoff of information to this highly effective program.

Today, the major declines in coca cultivation in Peru—almost 45 percent in two years—are directly attributable to that information-sharing program that the Congress rescued. Now, the traffickers are seeking to circumvent that program by flying through Brazil. Brazil is prepared to cooperate, but the Administration cannot get its act together to make this program happen. What's more, I have learned that some in the Administration are once again in the process of considering pulling the plug on this not only in Brazil but in Peru and Colombia. If this happens, we will throw away all our recent gains. If this is not enough, the whole counter-drug program in the region is in disarray. It lacks a coherence or consistent oversight and strategic vision. But this is not the only place we see a lack of comprehensive thinking.

There is a similar problem on our own borders. Over the past few years, I have supported efforts to increase our ability to police our borders. This has meant more funding on the Southwest Border and in Puerto Rico. The problem, however, is that there is no coherent vision coming from the Administration. What I have repeatedly asked for is a more comprehensive concept for the whole southern tier. We keep seeing plans for this place or that place. Now we hear plans about sealing the Southwest Border with technological wonders. We know, however, that the traffickers adjust to our control efforts. Thus, if we focus here, they shift over there. And they can shift faster.

As a recent Christian Science Monitor piece notes, we're seeing Miami Vice two. The traffickers are moving back into the Caribbean and south Florida. We need, therefore, a plan that does not create trafficking opportunities in one area while trying to foreclose them some place else.

But we don't see this. Instead, we see plans that rob Peter to pay Paul. Or we see another version of data slicing that I noted in my earlier remarks. The Administration is now double counting increases in the Border Patrol as contributions to the drug war. While INS

and the Border Patrol have some responsibilities in the drug area, this is not their primary duty. Yet they are counted in drug spending. The primary responsibility at the border falls to U.S. Customs. And what is happening here? The Administration continues to under fund agents, inspectors, and intelligence support on our southern tier. Further, to strengthen the presence on the Southwest Border, the Administration robbed positions in U.S. Customs from Miami and New York and elsewhere. The result? We now see more trafficking in south Florida. It's time to stop this piecemeal approach and develop a comprehensive southern tier strategy. This will require not only more serious thinking but a look at the resources necessary to make our borders more secure. I, for one, will be looking for such an effort.

Problems at our borders and incoherence in thinking in dealing with our international partners are not the limits to the inconsistency we see.

I have been calling on the Administration to offer proposals for how to deal with the problem of international organized crime. A plan for bringing together comprehensive international efforts to disrupt the organizations most responsible for drug trafficking. To date we have seen nothing. The proposals are late. Sound familiar?

From these various accounts, it should be clear that we have a drug policy in name only. What we have is a collection of things with a price tag attached. We do not see accountability. What we do see is increasing drug use among our kids. What we do not have is the coherence Congress has asked for and the public has right to expect. We need better not just more.

With this in mind, I have proposed, separately, several initiatives to improve our drug efforts. I will be following up on those proposals.

I have gone on at this length to make it clear to my colleagues and the public that we need a lot of work on our national drug control strategy. Above all, we need seriousness of purpose and consistent follow through. We need to know where we're going. Otherwise, we will continue to wander around, lost, on roads that take us nowhere.

#### INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1931

Mr. REED. Mr. President, I would like to take a moment this afternoon to talk about the pending highway bill and particularly the transit provisions in that bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I commend Senator D'AMATO and Senator SARBANES for their work on this initiative. The bill they brought to the Banking